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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/770,890	01/26/2001	Diakoumis Parissis Gerakoulis	03493.00043	6634

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AT&T CORP.
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EXAMINER

NGUYEN, STEVEN H D

ART UNIT	PAPER NUMBER
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2616

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
30 DAYS	04/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

DETAILED ACTION

Response to Amendment

1. The reply filed on 11/01/06 is not fully responsive to the prior Office Action because: the applicant is subsequent presentation of claims for different invention for example a method and system for sending an acquired message includes a preamble and identifier of a requester which is spreaded by orthogonal code and waiting for assigning a Walsh code and timing information before sending the payload information which is spreaded by orthogonal code and the assigned Walsh code by the base station See 37 CFR 1.145. The new invention is different from the original invention as indicated by page 2 of the response by the applicant:

Original claim 32:

Directed to a method for code division switching at an originating terminal.

Amended claim 32:

Directed to communication between a first terminal and a base station that is coupled to a packet network

Examiner's Comment:

the original and amended limitation has no relation because the original claim discloses a method for code division switch at a terminal which means a terminal has everything in its terminal in order to generate the message for transmitting and the amended limitation is a method for communicating between two devices.

Original claim 32:

Spreading a transmission signal by a PN code assigned to an intended receiving port

Amended claim 32:

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when A has payload information for a party B, A sending to BSI an access request message comprising preamble field and a header field that identifier A, the message spread with a single orthogonal code gt which is allocated to BS 1 to distinguish transmissions to BS 1 from transmissions to neighboring base stations;

Examiner's Comment:

the preamble which only send when the terminal has payload to send and the transmission signal of the original claim does not have a preamble field.

Original claim 32:

Forwarding said PN code spread transmission signals and said twice spread payload data signal to an access radio port.

Amended claim 32:

sending a payload message to BS1 that contains the payload information, in a format adapted for direct application to the packet network, spread with gt and with Wa

Examiner's Comment:

The original claim transmits the payload and transmission signal at the same time or one after another and Wa already has in the terminal. In the amended claim, the terminal must wait for assigning of timing information and Wa after sending preamble and header fields. If the terminal does not receiving an assigned message, it cannot transmit a payload.

The amended claim discloses the terminal must wait for assigning of timing and Wa information from the base station before transmitting the payload by sending a request message that includes preamble field and header field. The original claim discloses a PN code, Wa that embedded into the terminal in order to allow the terminal to spread transmission signal and

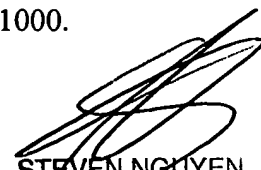
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payload before transmitting them concurrently. The amended claim which must restrict from the application, is clearly disclosed a new invention than the original claim because the amended claim is not obvious over the original claim. Therefore, the applicant is subsequent presentation of claims for different invention than the original invention, See 37 CFR 1.145. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven H. Nguyen whose telephone number is (571) 272-3159. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Welling Chin can be reached on (571) 272-3134. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



STEVEN NGUYEN
PRIMARY EXAMINER